

Minnesota Pollution Control Agency
March 2010

Archival Records Search for Information on the Origin and Rationale Behind the Class 4A Sulfate Water Quality Standard Associated with Wild Rice Production, (Minn. R. 7050.0224, subp. 2).

In accordance with the provisions specified in the Clean Water Act, § 303 (c) (1), the Minnesota Pollution Control Agency (MPCA) is currently involved in a triennial review of Minn. R. ch. 7050 and Minn. R. ch. 7052. Minn. R. ch. 7050 is the state's water quality standards and use classification rule. Chapter 7052 is known informally as the Great Lakes Initiative or GLI rule, specific to the waters within the Lake Superior Basin. Among the list of potential rule amendments being considered during this triennial review is the re-examination of the water quality standards in the Class 3 (Industrial Consumption) and the Class 4 (Agriculture and Wildlife) water use classifications (Minn. R. 7050.0223 and 7050.0224, respectively).

The Class 4A water use classification includes a 10 mg/L sulfate (SO₄) standard "*applicable to water used for production of wild rice during periods when the rice may be susceptible to damage by high sulfate levels.*" This wild rice related sulfate standard was first adopted into rule in 1973 and has essentially remained unchanged since then. In addition, Class 4 wild rice related narrative language and a select listing of a number of wild rice waters within the Lake Superior Basin were promulgated into rule during the 1997 triennial rulemaking proceedings for Minn. R. 7050 and 7052.

In an attempt to gather the pertinent information and discussions on these rule amendments, MPCA staff reviewed archival records from the 1973 amendments to WPC 14, 15, 24, and 25 and from the 1997 triennial rulemaking proceedings. MPCA staff also gathered wild rice related information from a 1975 permit hearings on the Minnesota Power and Light's Clay Boswell Electric Generating Station at Cohasset, MN. Document excerpts from these rulemaking proceedings and public hearings, along with other memoranda and letters pertaining to wild rice and the sulfate standard, have been scanned and are presented as Portable Document Format (PDF) files as listed below.

MPCA Wild Rice Archival Search files on this compact disc:

SummaryWPC24&25-1973
StatementofNeedWPC15-1973
HearingSummaryWPC14and15-1973
FindingsofFactWPC14-1973
FindingofFactWPC15-1973
WPC14RuleasProposedExcerpts-1973
WPC15RuleasProposedExcerpts- 1973
SummaryWPC14and15-1973
HearingTestimonyExcerpts-5/22/1973
HearingTestimonyExcerpts-5/31/1973
StatementofNeedandReasonablenessExcerpts-1997
MPCAStaffInitialPost-HearingResponseExcerpts-1997

MPCASTaffFinalPost-HearingResponseExcerpts-1997

3/19/1987MPCAMemo

MDNRLetters

MP&LClayBoswellPermitHearingTestimonyExcerpts- March7,1975

MP&LClayBoswellPermitHearingTestimonyExcerpts- March19,1975

MP&LClayBoswellPermitHearingAdministrativeDocuments-1975

- Findings of Fact, Conclusions and Recommendations- Richard L. Pemberton, Hearing Officer
- MPCA Findings of Fact, Conclusions and Order dated October 28, 1975
- October 29, 1975 letter to USEPA Region V from the Office of Attorney General
- November 7, 1975 letter to MPCA from USEPA
- November 18, 1975 letter to Minnesota Power and Light (MP&L) from MPCA
- Clay Boswell NPDES/SDS Permit dated November 18, 1975